



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/938,533 Applicant : MULLER, ET AL. Filed : AUGUST 27, 2001

Title : AT LEAST PARTIALLY IMPLANTABLE HEARING SYSTEM

Art Unit : 3736

Examiner: FOREMAN, JONATHAN M.

Atty Docket No. : COCH-0183-US1

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The below-identified communication(s) is (are) submitted in the above-captioned application or proceeding:

Response and Amendment Under 37 C.F.R. §1.111 (seventeen (17) pages)

Fee Transmittal For FY 2006 (one (1) page in duplicate)

☐ Credit Card Payment Form (one (1) page)

Respectfully submitted,

Michael G. Verga, Esq.

Reg. No. 39,410 Customer No. 22,506

JAGTIANI + GUTTAG
Democracy Square Business Center
10363-A Democracy Lane
Fairfax, Virginia 22030
(703) 591-2664

September 15, 2006

SEP 15 2006 35

Pater Fee Transmittal for FY 2006

Applicant(s) Claims Small Entity Status 37 C.F.R. 1.27

TOTAL AMOUNT OF PAYMENT

\$250.00

Application No. 09/938,533

Filing Date 27-Aug-01

Named Inventor MÜLLER, et al.

Examiner Name FOREMAN, Jonathan M.

Art Unit 3736

Attorney Docket No. COCH-0183-US1

4				FEE C	ALCULATION		_	
1. Filing Fees	Larg	e Entity	Small Entity		2. Extra Claim Fee			
Application Type Description	Code	· ·	ode (\$)	Paid	a. Claims as Filed Extra	Large Entity	Small Entity	
Basic	1011	300 20	011 150	\$ -	Claims	Code (\$)	Code (\$))
Utility Examination	1311	200 23	311 100	\$ -	Total Claims 0 - 20 = 0 x	1201 5	0 2201 2	25
Search	1111	500 21	111 250	s -	Independent 0 - 3 = 0 x	1202 20	0 2202 10	20[
Basic	1012	200 20	012 100	\$ -	Multiple Dependent	1203 36	0 2203 18	30
Design Examination	1312	130 23	312 65	\$.	b. Claims as Amended		· ·	
Search	1112	100 21	112 50	\$ -	After Present	Large Entity	Small Entity	
Basic	1013	200 20	013 100	\$ -	Amnt Highest Paid Extra	Code (\$)	Code (\$)
Plant Examination	1313	160 23	313 80	\$ -	Total Claims 39 - 38 • = 1 x	1201 5	0 2201 2	25
Search	1113	300 2 ⁻	113 150	\$.	Independent 4 - 3 " = 1 x	1202 20	0 2202 10	00
Basic	1014	300 20	014 150	\$ -	First Presentation of Multiple Dependent	1203 36	0 2203 18	30 5
Reissue Examination	1114	600 2 ⁻	114 300	\$ -	* Less than 20, enter 20 ** Less than 3, enter 3		_	
Search	1314	500 23	314 250	\$ -	3. Extra Page Fee	Large Entity	Small Entity	
Provisional Basic	1005	200 20	005 100	\$ -	Total Pages Extra Pages	Code (\$)	Code (\$	
Basic	1631	300 26	631 150	\$ -	0 -100 0 x	1081 25	0 2081 12	25
National Stage	1633	200 26	633 100	\$ -	Subtotal for Application Fees			
Search	1632	500 26	632 250	\$ -	1 \$ - + 2 \$ 250 +	3 \$	- = \$	
4. Additional Fees	Larg	e Entity	Small Entity			Large Entity	Small Entity	
Description	Code	(\$) C	ode (\$)	Paid	Description (cont.)	Code (\$)	Code (\$)	
Extension for response first month	1251	120 22	251 60	\$ -	Recording each Assignment	8021 4	0 8021 4	40
Extension for response second month	1252	450 22	252 225	\$ -	Submission of IDS	1806 18	1806 18	BO :
	1252 1253	450 22 1,020 22			Submission of IDS Request for Cont. Examination (RCE)		1	-
Extension for response third month			253 510	\$ -		1801 79	2801 39	95
Extension for response third month Extension for response fourth month	1253	1,020 22	253 510 254 795	\$ - \$ -	Request for Cont. Examination (RCE)	1801 79 1809 79	2801 39 2809 39	95 95
Extension for response third month Extension for response fourth month Extension for response fifth month	1253 1254	1,020 22 1,590 22	253 510 254 795 255 1,080	\$ - \$ - \$ -	Request for Cont. Examination (RCE) Filing Submission After Final	1801 79 1809 79 1051 13	00 2801 39 00 2809 39 00 2051 6	95 3 95 3
Extension for response third month Extension for response fourth month Extension for response fifth month Notice of Appeal	1253 1254 1255	1,020 22 1,590 22 2,160 22	253 510 254 795 255 1,080 401 250	\$ - \$ - \$ -	Request for Cont. Examination (RCE) Filing Submission After Final Surcharge - late filing fee or oath	1801 79 1809 79 1051 13 1052 5	00 2801 39 00 2809 39 00 2051 6 00 2052 2	95 3 95 3 65 3
Extension for response third month Extension for response fourth month Extension for response fifth month Notice of Appeal Filing a Brief in Support of an Appeal	1253 1254 1255 1401	1,020 23 1,590 23 2,160 23 500 24	253 510 254 795 255 1,080 401 250 402 250	\$ - \$ - \$ - \$ -	Request for Cont. Examination (RCE) Filing Submission After Final Surcharge - late filing fee or oath Surcharge - late provisional fee	1801 79 1809 79 1051 13 1052 5 1053 13	2801 39 2809 39 30 2051 6 30 2052 2 30 1053 13	95 \$ 95 \$ 65 \$ 25 \$
Extension for response third month Extension for response fourth month Extension for response fifth month Notice of Appeal Filing a Brief in Support of an Appeal Request for Oral hearing	1253 1254 1255 1401 1402	1,020 23 1,590 23 2,160 23 500 24	253 510 254 795 255 1,080 401 250 402 250 403 500	\$ - \$ - \$ - \$ - \$ -	Request for Cont. Examination (RCE) Filing Submission After Final Surcharge - late filing fee or oath Surcharge - late provisional fee Non-English Specification	1801 79 1809 79 1051 13 1052 5 1053 13 1807 5	2801 39 2809 39 30 2051 6 30 2052 2 30 1053 13 50 1807 5	95 5 95 5 65 5 25 5 30 5
Extension for response third month Extension for response fourth month Extension for response fifth month Notice of Appeal Filing a Brief in Support of an Appeal Request for Oral hearing Petitions under 1.17(f)	1253 1254 1255 1401 1402 1403	1,020 23 1,590 23 2,160 23 500 24 1,000 24	253 510 254 795 255 1,080 401 250 402 250 403 500 462 400	\$ - \$ - \$ - \$ - \$ - \$ -	Request for Cont. Examination (RCE) Filing Submission After Final Surcharge - late filing fee or oath Surcharge - late provisional fee Non-English Specification Processing Fee 37 CFR 1.17(q)	1801 79 1809 79 1051 13 1052 5 1053 13 1807 5 1812 2,52	2801 39 2809 39 30 2051 6 30 2052 2 30 1053 13 50 1807 5 20 1812 2,52	95 \$ 95 \$ 95 \$ 95 \$ 95 \$ 95 \$ 95 \$ 95 \$
Extension for response second month Extension for response third month Extension for response fourth month Extension for response fifth month Notice of Appeal Filing a Brief in Support of an Appeal Request for Oral hearing Petitions under 1.17(f) Petitions under 1.17(g) Petitions under 1.17(h)	1253 1254 1255 1401 1402 1403 1462	1,020 25 1,590 25 2,160 25 500 24 500 24 1,000 24	253 510 254 795 255 1,080 401 250 402 250 403 500 462 400 463 200 464 130	\$ - \$ - \$ \$ \$ - \$ \$ \$ - \$ \$ \$ - \$ \$ \$ - \$ \$ \$ - \$ \$ \$ - \$ \$ \$ - \$ \$ \$ - \$ \$ \$ - \$ \$ \$ - \$ \$ \$ - \$ \$ \$ - \$ \$ \$ - \$ \$ \$ - \$ \$ - \$ \$ - \$ \$ - \$ \$ - \$ \$ - \$ \$ - \$ \$ - \$ \$ - \$ \$ - \$ \$ -	Request for Cont. Examination (RCE) Filing Submission After Final Surcharge - late filing fee or oath Surcharge - late provisional fee Non-English Specification Processing Fee 37 CFR 1.17(q) Request for Ex Parte Reexamination	1801 79 1809 79 1051 13 1052 5 1053 13 1807 5 1812 2,52 1804 92 1805 1,84	2801 39 2809 39 30 2051 6 30 2052 2 30 1053 13 30 1807 5 20 1812 2,52 20 1804 92 30 1805 1,84	95 \$ 95 \$ \$ 65 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$
Extension for response third month Extension for response fourth month Extension for response fifth month Notice of Appeal Filing a Brief in Support of an Appeal Request for Oral hearing Petitions under 1.17(f) Petitions under 1.17(g) Petitions under 1.17(h)	1253 1254 1255 1401 1402 1403 1462 1463	1,020 25 1,590 25 2,160 26 500 26 1,000 26 400 16	253 510 254 795 255 1,080 401 250 402 250 403 500 462 400 463 200 464 130	\$ - \$ - \$ \$ \$ - \$ \$ \$ - \$ \$ \$ - \$ \$ \$ - \$ \$ \$ - \$ \$ \$ - \$ \$ \$ - \$ \$ \$ - \$ \$ \$ - \$ \$ \$ - \$ \$ \$ - \$ \$ \$ - \$ \$ \$ - \$ \$ \$ - \$ \$ - \$ \$ - \$ \$ - \$ \$ - \$ \$ - \$ \$ - \$ \$ - \$ \$ - \$ \$ - \$ \$ -	Request for Cont. Examination (RCE) Filing Submission After Final Surcharge - late filing fee or oath Surcharge - late provisional fee Non-English Specification Processing Fee 37 CFR 1.17(q) Request for Ex Parte Reexamination Request Pub. of SIR prior to action	1801 79 1809 79 1051 13 1052 5 1053 13 1807 5 1812 2,52 1804 92 1805 1,84	2801 39 2809 39 30 2051 6 30 2052 2 30 1053 13 30 1807 5 20 1812 2,52 20 1804 92 30 1805 1,84	95 \$ 95 \$ 95 \$ 95 \$ 95 \$ 95 \$ 95 \$ 95 \$
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Extension for response third month Extension for response fourth month Extension for response fifth month Notice of Appeal Filing a Brief in Support of an Appeal Request for Oral hearing Petitions under 1.17(f) Petitions under 1.17(g) Petitions under 1.17(h) Petition - public use proceeding Petition to Revive - Unavoidable	1253 1254 1255 1401 1402 1403 1462 1463 1464 1451	1,020 2: 1,590 2: 2,160 2: 500 2: 1,000 2: 400 1: 200 1: 1,510 1:	253 510 254 795 255 1,080 401 250 402 250 403 500 462 400 463 200 464 130 451 1,510 452 250	\$ - \$ - \$ - \$ - \$ \$ - \$ \$ - \$ \$ - \$ \$ - \$ \$ - \$ \$ - \$ \$ - \$ \$. \$	Request for Cont. Examination (RCE) Filing Submission After Final Surcharge - late filing fee or oath Surcharge - late provisional fee Non-English Specification Processing Fee 37 CFR 1.17(q) Request for Ex Parte Reexamination Request Pub. of SIR prior to action Request Pub. of SIR after action Each Add. Invention Examined	1801 79 1809 79 1051 13 1052 5 1053 13 1807 5 1812 2,52 1804 92 1805 1,84 1810 79 1802 90	2801 39 2809 39 200 2851 6 2052 2 20 1053 13 20 1807 5 20 1812 2,52 20 1804 92 20 1805 1,84 20 2810 39 20 1802 90	95 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$
Extension for response third month Extension for response fourth month Extension for response fifth month Notice of Appeal Filing a Brief in Support of an Appeal Request for Oral hearing Petitions under 1.17(f) Petitions under 1.17(g) Petitions under 1.17(h) Petition - public use proceeding Petition to Revive - Unavoidable Petition to Revive - Unintentional	1253 1254 1255 1401 1402 1403 1462 1463 1464 1451	1,020 25 1,590 25 2,160 25 500 26 1,000 26 400 16 200 16 130 16 1,510 16	253 510 254 795 255 1,080 401 250 402 250 403 500 462 400 463 200 464 130 451 1,510 452 250 453 750	\$ - \$ - \$ - \$ - \$ - \$ - \$ - \$ - \$ - \$ -	Request for Cont. Examination (RCE) Filing Submission After Final Surcharge - late filing fee or oath Surcharge - late provisional fee Non-English Specification Processing Fee 37 CFR 1.17(q) Request for Ex Parte Reexamination Request Pub. of SIR prior to action Request Pub. of SIR after action Each Add. Invention Examined Expedited Examination (Design)	1801 79 1809 79 1051 13 1052 5 1053 13 1807 5 1812 2,52 1804 92 1805 1,84 1810 79 1802 90 1453 1,37	2801 39 2809 39 20 2809 39 20 2051 6 20 2052 2 20 1053 13 20 1807 5 20 1812 2,52 20 1804 92 20 1805 1,84 20 2810 39 20 1802 90 20 1453 1,37	95 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$
Extension for response third month Extension for response fourth month Extension for response fifth month Notice of Appeal Filing a Brief in Support of an Appeal Request for Oral hearing Petitions under 1.17(f) Petitions under 1.17(g) Petitions under 1.17(h) Petition - public use proceeding Petition to Revive - Unavoidable Petition to Revive - Unintentional Utility Issue Fee	1253 1254 1255 1401 1402 1403 1462 1463 1464 1451 1452 1453	1,020 2: 1,590 2: 2,160 2: 500 2: 1,000 2: 400 1: 200 1: 130 1: 1,510 1: 500 2:	253 510 254 795 255 1,080 401 250 402 250 403 500 462 400 463 200 464 130 451 1,510 452 250 453 750 501 700	\$ - \$ - \$ - \$ - \$ - \$ - \$ - \$ - \$ - \$ -	Request for Cont. Examination (RCE) Filing Submission After Final Surcharge - late filing fee or oath Surcharge - late provisional fee Non-English Specification Processing Fee 37 CFR 1.17(q) Request for Ex Parte Reexamination Request Pub. of SIR prior to action Request Pub. of SIR after action Each Add. Invention Examined Expedited Examination (Design) Unintentionally Delayed Priority Claim	1801 79 1809 79 1051 13 1052 5 1053 13 1807 5 1812 2,52 1804 92 1805 1,84 1810 79 1802 90 1453 1,37 1811 10	200 2801 39 200 2809 39 200 2051 6 2052 2 200 1053 13 200 1807 5 200 1812 2,52 200 1804 92 200 1805 1,84 200 2810 39 200 1802 90 200 1453 1,37 200 1811 10	95 : : : : : : : : : : : : : : : : : : :
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Extension for response third month Extension for response fourth month Extension for response fifth month Notice of Appeal Filing a Brief in Support of an Appeal Request for Oral hearing Petitions under 1.17(f) Petitions under 1.17(g) Petitions under 1.17(h) Petition - public use proceeding Petition to Revive - Unavoidable Petition to Revive - Unintentional Utility Issue Fee Design Issue Fee Plant Issue Fee	1253 1254 1255 1401 1402 1403 1462 1463 1464 1451 1452 1453 1501 1502	1,020 2: 1,590 2: 500 2: 1,000 2: 400 1: 200 1: 1,510 1: 500 2: 1,500 2: 1,400 2: 800 2: 1,100 2:	253 510 254 795 255 1,080 401 250 402 250 403 500 462 400 463 200 464 130 451 1,510 452 250 453 750 501 700 502 400 503 550 511 700	\$ - \$ - \$ - \$ - \$ - \$ - \$ - \$ - \$ - \$ -	Request for Cont. Examination (RCE) Filing Submission After Final Surcharge - late filing fee or oath Surcharge - late provisional fee Non-English Specification Processing Fee 37 CFR 1.17(q) Request for Ex Parte Reexamination Request Pub. of SIR prior to action Request Pub. of SIR after action Each Add. Invention Examined Expedited Examination (Design) Unintentionally Delayed Priority Claim Certificate of Correction Maintenance Fees 3.5 years Maintenance Fees 7.5 years	1801 79 1809 79 1051 13 1052 5 1053 13 1807 5 1812 2,52 1804 92 1805 1,84 1810 79 1853 1,37 1811 10 1551 90 1552 2,30 1553 3,80	2801 39 2809 39 200 2809 39 200 2051 6 200 2052 2 20 1053 13 20 1807 5 20 1812 2,52 20 1804 92 20 1805 1,84 20 2810 39 20 1802 90 20 1453 1,37 20 1811 10 20 2551 45 20 2552 1,15 20 2553 1,90	95
Extension for response third month Extension for response fourth month Extension for response fifth month Notice of Appeal Filing a Brief in Support of an Appeal Request for Oral hearing Petitions under 1.17(f) Petitions under 1.17(h) Petitions under 1.17(h) Petition - public use proceeding Petition to Revive - Unavoidable Petition to Revive - Unintentional Utility Issue Fee Design Issue Fee Plant Issue Fee Reissue Issue Fee	1253 1254 1255 1401 1402 1403 1462 1463 1464 1451 1452 1453 1501 1502 1503 1511	1,020 2: 1,590 2: 2,160 2: 500 2: 1,000 2: 1,000 1: 200 1: 130 1: 1,510 1: 500 2: 1,400 2: 800 2: 1,400 2: 1,400 2: 1,400 2:	253 510 254 795 255 1,080 401 250 402 250 403 500 462 400 463 200 464 130 451 1,510 452 250 453 750 501 700 502 400 503 550 511 700 504 300	\$ - \$ - \$ - \$ - \$ - \$ - \$ - \$ - \$ - \$ -	Request for Cont. Examination (RCE) Filing Submission After Final Surcharge - late filing fee or oath Surcharge - late provisional fee Non-English Specification Processing Fee 37 CFR 1.17(q) Request for Ex Parte Reexamination Request Pub. of SIR prior to action Request Pub. of SIR after action Each Add. Invention Examined Expedited Examination (Design) Unintentionally Delayed Priority Claim Certificate of Correction Maintenance Fees 3.5 years Maintenance Fees 7.5 years Maintenance Fees 11.5 years	1801 79 1809 79 1051 13 1052 5 1053 13 1807 5 1812 2,52 1804 92 1805 1,84 1810 79 1853 1,37 1811 10 1551 90 1552 2,30 1553 3,80	2801 39 2809 39 200 2809 39 200 2051 6 200 2052 2 20 1053 13 20 1812 2,52 20 1804 92 20 1805 1,84 20 2810 39 20 1802 90 20 1453 1,37 20 1811 10 20 2551 45 20 2552 1,15 20 2553 1,90	995

METHOD OF PAY	/MENT (Check all that apply)	Submitted by:				
	card information and authorization on PTO-2038)	Name	Michael G. Verga	Reg. No.	39,410	
Deposit Account No.	10-0233-COCH-0183-US1	Firm	Jagtiani + Guttag			
	10-0233-COCH-0183-051	Address	10363-A Democracy Lane, Fairfax VA 22030			
For the above-identified deposit	Telephone	703.591.2664	Fax	703.591.5907		
To charge the above To charge any addit 1.16, 1.17, 1.18, 1.2 deposit account nun	ional fees which may be required under 37 CFR 0 and 1.492 or credit any overpayment to the	Mu	Signature	Sept	tember 15, 2006 Date	

Revised 01-2006

Include duplicate copy $\boldsymbol{\theta}$ paying by deposit eccount



Application No.

09/938,533

Applicants

MÜLLER, *ET AL*. August 27, 2001

Filed Title

AT LEAST PARTIALLY IMPLANTABLE HEARING SYSTEM

Art Unit

3736

Examiner

FOREMAN, JONATHAN M.

Atty Docket No.

COCH-0183-US1

RESPONSE AND AMENDMENT UNDER 37 C.F.R. §1.111

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed June 16, 2006, Applicants submit the following Amendments and Remarks.

It is not believed that extension for time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to allow consideration of this paper, then such extensions of time are hereby petitioned under 37 CFR §1.136(a), and any fees required therefore, including fees for net addition of claims, are hereby authorized to be charged to Deposit Account No. 10-0233-COCH-0183-US1.

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 10 of this paper.

09/18/2026 SDEHBOD1 02020202 09938533

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